UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/1083
22 September 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Taking note of the information provided by the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC), and that contained in other relevant reports (S/1994/265 and S/1994/674), particularly regarding grave violations of international humanitarian law affecting the non-Serb population in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces,

Gravely concerned at the persistent and systematic campaign of terror perpetrated by the Bosnian Serb forces in Banja Luka, Bijeljina and other areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, as described in paragraphs 5 to 79 of the above-mentioned report (S/1994/265),

Emphasizing that this practice of "ethnic cleansing" by the Bosnian Serb forces constitutes a clear violation of international humanitarian law and poses a serious threat to the peace effort,

Expressing its deep concern over the continued denial by Bosnian Serb forces of prompt and unimpeded access to the Special Representative of the Secretary-General and the United Nations Protection Force (UNPROFOR) to Banja Luka, Bijeljina and other areas under Bosnian Serb control as demanded by the Security Council in its presidential statement of 2 September 1994 (S/PRST/1994/50),

Recognizing that the International Tribunal has jurisdiction over serious violations of international humanitarian law in the territory of the former Yugoslavia, and that the Council remains committed to its previous resolutions on the importance of cooperation with the Tribunal,

Determined to put an end to the abhorrent and systematic practice of "ethnic cleansing" wherever it occurs and by whomsoever it is committed,

Determining that the situation in the Republic of Bosnia and Herzegovina continues to constitute a threat to international peace and security, reiterating its determination to ensure the security of UNPROFOR and its freedom of movement for all its missions, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Reaffirms that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949;

2. Strongly condemns all violations of international humanitarian law, including in particular the unacceptable practice of "ethnic cleansing" perpetrated in Banja Luka, Bijeljina and other areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, and reaffirms that those who have committed or have ordered the commission of such acts will be held individually responsible in respect of such acts;

3. Reaffirms its support for the established principles that all declarations and actions made under duress, particularly those regarding land and ownership, are null and void, and that all displaced persons should be enabled to return in peace to their former homes;

4. Demands that the Bosnian Serb authorities immediately cease their campaign of "ethnic cleansing";

5. Demands that the Bosnian Serb party accord immediate and unimpeded access for the Special Representative of the Secretary-General, UNPROFOR, UNHCR and ICRC to Banja Luka, Bijeljina and other areas of concern;

6. Requests the Secretary-General to arrange, when conditions permit, the deployment of UNPROFOR troops and United Nations monitors in Banja Luka, Bijeljina, and other areas of concern, and to intensify his efforts in this regard;

7. Also requests the Secretary-General to report urgently to the Council on the implementation of this resolution;

8. Determines to consider any further steps that it may deem necessary;

9. Decides to remain seized of the matter.